

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/01/09 has been entered.

EXAMINER'S AMENDMENT

2, An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven M. Freeland (Reg. No. 42,555) on 01/04/10.

Please amend claim 23 as follows: On line 1 of claim 23, please delete "...claim 5..." and insert "...claim 1..."

Allowable Subject Matter

3. Claims 1-4, 6-11, 14-17, 19 and 21-23 allowed.
4. The following is an examiner's statement of reasons for allowance: With respect to independent claims 1 and 11, the instant invention is directed to an entertainment system, and a method for selectively storing, at an entertainment system, data being received and displayed by the entertainment system where the data is associated with a broadcast channel. The relevant prior art of records such as **Chor et al (6,141,003)** disclose channel bar user interface for an entertainment system. **Alexander et al (6,177,931)** disclose systems and methods for displaying and recording control interface with TV programs. **Bennington et al (7,398,541)** disclose electronic TV program guide schedule system and method. **Beatty (6,336,053)** disclose graphical user interface shop floor control system. **Rzeszewski et al (5,917,481)** disclose electronic TV program guide with selective updating. **Bedard (5,805,235)** discloses book-marking TV program and channel selections. However, neither **Chor, Alexander, Bennington, Beatty, Rzeszewski nor Bedard** and any of the cited references teach or suggest, alone or in combination the feature of "...displaying a second menu, in response to detecting a selection of the mark icon, where the second menu comprises: a graphical portion and a list of channels stored in said memory, wherein said list of channels is scrollable and said graphical portion displays a show corresponding to one of the channels in said list of channels during scrolling; wherein the second menu further comprising an instruction displayed in the graphical portion and superimposed over the show displayed in the graphical portion, where the instruction comprises a

string of textual data explaining an action to be performed by a user to display the channel depicted in the graphical portion..." as recited in combination with other features of independent claims 1 and 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nsonwu et al (6,978,473) disclose pop-up option palette.

Boyer et al (6,268,849) disclose Internet TV program guide system with embedded real-time data.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, **call 800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

/Annan Q Shang/
Primary Examiner, Art Unit 2424

Annan Q. Shang